

PRICE ONE CENT.

NEW YORK, MONDAY, APRIL 6, 1903.

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INCENDIARY STARTS BIG APARTMENT FIRE

Richfield Flats, Nos. 235, 237, 239 and 241 West Forty-third Street, the Scene of a Blaze that Creates Tremendous Excitement.

Flaming Brands Carried Through the Air Set Fire to a Building on West Forty-fourth Street, but This Is Quickly Subdued.

Two fires which threatened to destroy the entire row of apartments on West Forty-third street known as the Richfield flats, and which spread to adjoining buildings, started simultaneously this afternoon in the basement and under the roof of No. 239.

Though the flames were discovered promptly, they gained such headway by the time the firemen arrived that a second alarm was turned in by Battalion Chief Binn, and even with this extra force of firemen and apparatus it was impossible to check the spread of the flames to all the houses in the row and to houses in the rear.

According to the firemen and Dr. Taylor, who recently bought the house, the fires were incendiary.

Great crowds flocked into Forty-third and Forty-fourth streets from Seventh and Eighth avenues, and it was found necessary to call out the police reserves from the West Thirtieth, Thirty-seventh and Forty-seventh Street Precincts in order to keep space cleared for the large amount of fire apparatus that was rushed to the scene.

The Richfield Flats have long been notorious because of the number of raids made upon tenants in the different apartments by the police. When Capt. Schmittberger went to the West Forty-seventh Street Station he announced that he would clean out the apartments, and he began a series of raids. When Capt. Dillon succeeded him the raids were continued and the flats were slowly emptied.

TENANTS WERE CLEARED OUT.

Then Dr. Taylor bought them, and told the police that if necessary he would turn out every tenant in order that he houses would be above reproach. He did so, with the result that when the fire started to-day there were only about five families living in the row that includes Nos. 235, 237, 239 and 241 West Forty-third street.

Dr. Taylor was attending several patients in his office, which is on the ground floor of No. 239, when a cloud of smoke and a burst of flame shot up from the basement. He ran out calling for his janitor. At the same time the janitor, James Young, who was working on the top floor, discovered that the woodwork under the eaves and all along under the tin roof was ablaze, and started downstairs to alarm the tenants. He and Dr. Taylor ran into the street and sent in an alarm.

The fire from the basement gained headway with remarkable rapidity, spreading to the elevator shaft and up the stairways.

Then it leaped across an open air shaft to No. 237 on one side and No. 241 on the other side, and by the time the engines arrived all three houses were blazing fiercely. Though the fire from below spread rapidly, it did not reach such headway as the fire on the roof, which in a few minutes had wrapped the roofs of the entire row of apartments in flames.

FIREMEN BADLY HAMPERED.

When Battalion Chief Binn arrived he turned in a second alarm, which brought Chief Purroy. When the Chief arrived he found that it was almost impossible for his men to get at the fire under the roofs for the reason that the fire in the lower part of the houses cut off all access.

As the fire ate its way from the roofs down into the woodwork on the lower floor flaming embers shot up into the air and were swept north over into Forty-fourth street, setting fire to No. 250 West Forty-fourth street. A squad of firemen had to be sent around into the upper street to check this blaze and also to play streams on the roofs of adjoining buildings that were threatened by the showers of firebrands.

When the fire reached its height a mass of wood and small bits of iron were poured against the stained-glass windows of the Ascension Memorial Church, at No. 245, adjoining the flats. Every window in the church was completely shattered, and the firemen had great difficulty in saving the church from the flames.

BRAVED DEATH FOR HER SAVINGS.

The only tenants in the upper floors of No. 239 when the fire started were Miss Lucille Smith and her mother. The young woman succeeded in getting her mother out safely, but when she reached the street she remembered she had forgotten a small safe in which she had all the money she had in the world. She told Detective James C. McGee and he volunteered to assist her through the burning house for her bank. They got upstairs all right, but when they started down again they found themselves practically cut off by the flames. She fainted and the detective had to carry her down four flights of stairs through the fire and smoke.

During the early stages of the fire it seemed as if the entire north side of Forty-third street, between Seventh and Eighth avenues, would go and there was a panic among the tenants of the adjoining houses. Men, women and children rushed into the street carrying their treasured belongings and in this way a great lot of stuff was heaped up in the street that impeded the fire fighters considerably in their work.

LACKED 2 YEARS OF 100.

Samuel Chapin, Brother-in-Law of Russell Sage, Expires, Aged 98. ONEIDA, N. Y., April 6.—Samuel Chapin, one of the oldest residents of Oneida, died last night. He was ninety-eight years old.

Mr. Chapin was a brother-in-law of Russell Sage, of New York, having married Mr. Sage's only sister, Fanny, seventy-six years ago. Mrs. Chapin, aged ninety-six, is still living. The old couple had not been separated a day in more than fifty years.

Some Extra Touches
on the Pennsylvania Railroad is unusual, attractive meals and excellent attention.

THROUGH FIRE TO FAMILY.

They Had Been Rescued Already, but Edward Burns Didn't Know It. There was excitement this afternoon at a fire in No. 78 Washington street, in the heart of the Assyrian Village. An overturned stove started the blaze in the apartment of Mrs. Sydenessar.

On the floor above Edward Burns lived with his wife and seven children. He was summoned from work nearby. He rushed upstairs to save his family. They had been rescued and in his frantic search for them he was badly burned. The fire did little damage.

Dining Car Service
on the Pennsylvania Railroad is unusual, attractive meals and excellent attention.

WOMAN LED BARONESS TO SUICIDE.

Charles H. Townsend Declares that Mrs. Van Weik-Wolfbaur Told Him She Was Despondent and Feared that Her Fortune Would Not Support Herself and Daughter.

MYSTERY IN DEATH OF RICH YOUNG WOMAN.

She Had Wed Twice and Obtained Two Divorces—Townsend's Picture, in a Gold Frame, Found Among Her Effects—Had an Appointment to Dine With Him Before She Took Her Life.

After an interview with Charles T. Townsend, the friend of Mrs. Van Weik-Wolfbaur, Chief of Police Murphy, of Jersey City, came to the decision to-day that the woman killed herself because of despondency over her matrimonial and financial troubles. While she had a small fortune she feared that if she lived it would be so eaten into that not enough would be left for the support of her ten-year-old daughter Dorothy. There will be no inquest.

"I saw her on Thursday afternoon for the first time in over a month," said Mr. Townsend to Chief Murphy. "She was despondent and complained that she had not enough for herself and her daughter. She remarked that she thought it would be better if she were dead. I had an engagement to lecture that night in Brooklyn before the Zoological Society and had to leave her, but promised to take her to dinner the next evening. She was then at the Marlborough Hotel.

"The next I heard of her was from Jersey City. She said she would telephone me Saturday. I heard nothing further of her until I was informed that she was dead."

Townsend Her True Friend.

Campbell B. Royston, of Baltimore, the foster brother of the dead woman, met Townsend in Jersey City Police Headquarters this afternoon for the first time. After a conference Mr. Royston said he was convinced that Mr. Townsend was the one true friend Mrs. Van Weik had in the East. In the name of his family he thanked Mr. Townsend for what he had done for her in the three years of their acquaintance.

Townsend and Royston were named as executors in a will left by the dead woman. Townsend made a legal assignment of his executorship to Mr. Royston this afternoon, and if his duties as director of the Aquarium in Battery Park permit he will go to Baltimore to-night with the body.

When asked by Chief Murphy, in Jersey City, if he was married—this rumor having gained circulation—Mr. Townsend said that he was a bachelor. In explaining the presence of his photograph in a gold frame among the effects of Mrs. Van Weik, he said it was one of many he had distributed to his friends before departing on a business trip to Europe last spring. He denied that Mrs. Van Weik sent him a package by express last Saturday—or, at least, denied that he had received it. Should it reach him, he said, and contain valuables, he will turn them over to Mr. Royston.

Mr. Royston, accompanied by his attorney, Joseph W. Bristol, and Detective Bennett, of Jersey City, called at the Garfield Safe Deposit Company, Sixth avenue and Twenty-third street, to-day and asked permission to open a box that had been rented there on Saturday by the dead woman. Evidently she contemplated suicide, as she had arranged that the box could be opened either by herself, Mr. Royston or Townsend.

It was explained to the manager of the safe deposit vaults that Mrs. Van Weik had committed suicide, and Mr. Royston was allowed to open the box after a telephone message had been sent to the Aquarium and it was learned that Townsend was not there. It appears that Mr. Royston expected to find more.

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WEATHER FORECAST.

Forecast for the thirty-six hours ending at 3 P. M., Tuesday, for New York City and vicinity—Fair and warmer to-night. Tuesday, partly cloudy and warmer. Fresh east to south winds.

To Cure a Cold in One Day
Take Laxative Broom Quinine Tablets. An
Englishman found the remedy if it fails to cure,
S. W. Clark's is a cash back.

SCENE AT THE APARTMENT-HOUSE FIRE IN FORTY-THIRD STREET.



TOMMY FOSTER WINS AGAIN.

Only Three to One This Time—Fine Weather Brings Out a Big Crowd at Bennings Despite a Poor Card.

(Special to The Evening World.)

BENNINGS RACE TRACK, April 6.—Fine weather prevailed again this afternoon and the crowd came out to the course in throngs. The raw winds of Saturday had blown and spring smiled once more.

The track was in excellent condition, considering the fact that it was very muddy on Saturday. This only goes to prove that as a drying factor the wind is more potent than the sun. The track took five days to dry out last week in weather that would have dried the course in a day at the New York tracks.

The card was not particularly interesting this afternoon because the events had light fields and entries of a not very attractive character. The first and fifth races looked to be the bright spots in the constellation. Betting was brisk on all the events.

Bookmakers say that this has been

(Continued on Sixth Page.)

ROOSEVELT'S GUARDS ALERT

YANKTON, S. D., April 6.—When President Roosevelt arrived here to-day the police were requested by the Secret Service men accompanying the party to watch for nine men who were reported following the President and against whom he had been warned.

10,000 WAGON-MAKERS FIGHT FOR SHORTER HOURS.
A general strike of wagon-makers in Greater New York has begun, and it said that by to-morrow 10,000 men will be out. They demand a reduction in hours.

BASEBALL RESULTS.
At Philadelphia—Philadelphia (N. L.), 2; Athletics, 0.

LATE RESULTS AT BENNING.
Sixth Race—Duke of Kendal 1, Wheeler B. 2, Charnel 3.

KEENE WILL FIGHT ON IN S. P. SUIT.

Harriman Wins First Round in Southern Pacific Injunction Proceedings to Prevent Voting of Union Pacific Holdings, but Big Operator Is to Appeal to Higher Court.

ANNUAL MEETING OF THE RAILROAD POSTPONED.

Action on Election of Directors Stayed Until United States Bench Passes on the Case—Edward Lauterbach, Counsel for Keene Interests, Says His Clients Will Win—Bankers Like To-day's Ruling.

CINCINNATI, O., April 6.—Judge Lorton to-day refused the injunction asked by the Keene pool to prevent the voting of 900,000 shares of Southern Pacific Railway stock held by the Union Pacific Railroad, at the annual meeting of the Southern Pacific.

This means a victory for the Harriman forces.

The suit was brought by Talbot J. Taylor, of New York, on the ground that, in view of the intimate relations between the two companies, the stock should not be permitted to be voted.

It was claimed that the Union Pacific stock would be used in choosing a board of directors who would not represent the interests of the small holders.

Taylor was backed in the litigation by James R. Keene.

Judge Lorton's opinion, which was quite lengthy, was against the contention of the complainants that the Union Pacific was an accessory or actual party to the suit.

As to the averment that the Union Pacific was expending the receipts of the Southern Pacific in betterments of the Central Pacific with a view to the ultimate purchase of that road, the court held that this was not sustained by the evidence, and that even if true it could not be sustained.

On the whole case the court held that the bill be dismissed.

Senator Foraker, who represented the complainant's minority stockholders, of the Southern Pacific gave notice of appeal to the United States Court of Appeals and asked that pending the hearing of this appeal the action of directors of the Southern Pacific set for April 8 be stayed.

Lawrence Maxwell and Judge Humphrey representing the defendants agreed to that order, inasmuch as it otherwise would render the appeal ineffective. It was agreed that the stockholders may meet as arranged and elect a chairman and then adjourn until called by the chairman after the appeal has been disposed of by the Court of Appeals.

Mr. Lauterbach explained that this technically upon which Judge Lorton had decided the case was one of the difficulties with which the Keene side was confronted then it first decided to ask for the injunction. It was first thought that the suit might be brought in New York, but the Union Pacific, which was sought to be restrained, is a Utah corporation, and the New York courts have consistently declined to interfere in the matters of foreign corporations.

The general rule in the bringing of cases before the United States Courts is that they may be brought in the State where the plaintiff or the defendant is a citizen, or in the case of diversity of citizenship. But this does not apply in the case of a corporation, which can be served only at its principal place of business, or in the State in which it was incorporated.

"The case will be won by us," Mr. Lauterbach continued. "The remarks of Judge Lorton encourage us in our opinion that if we can get rid of this jurisdictional tangle the case will be won on its merits."

POLICE RUN DOWN FUGITIVE.

Maine Man, Accused of Murdering His Wife, Arrested.

MAINE, Me., April 6.—Charles F. Melvine, charged with the murder of his wife at Marsh Hill last Thursday night, was captured in New Brunswick to-day.

A. R. PENNELL WAS A BIG DEFAULTER

Buffalo Lawyer, Who Loved the Wife of the Mysteriously Murdered Edwin L. Burdick, Reported to Have Victimized the Friends Who Sent Money to Him for Investment Out of \$150,000 or More.

CARRIED \$200,000 INSURANCE SO THE LOSSES COULD BE PAID.

Said to Have Left Secret Instructions to His Brother for Making the Payments—Long Contemplated Suicide in a Way That Would Make Death Seem Accidental—Made Provision to Pay Mrs. Burdick \$25,000.

(Special to The Evening World.)
BUFFALO, N. Y., April 6.—It is announced this afternoon that Arthur R. Pennell, whose name was used in connection with the murder of Edwin L. Burdick, and who was killed in an automobile accident on March 10, was a defaulter to the extent of from \$150,000 to \$200,000. The story leaked out as the result of a legal dispute over two life insurance policies. The defalcations are said to have been from estates of friends in Maine and other States.

Pennell carried over \$200,000 in life insurance policies in order that after his death the estates might be able to recoup the losses which they had sustained through him. Incidentally, it has been learned that Pennell made provision for the payment to Mrs. Edwin L. Burdick of \$25,000 out of his life insurance.

Pennell had an income that was sufficient to enable him to spend about \$20,000. The source of the income was a mystery to his friends.

He practiced law, but his legal business was a side issue. He never seemed to have any cases in the courts, and was not known to be connected in a professional way with any large estates or any interests of any kind that would require his services as an attorney.

RUMORS AFTER HIS DEATH.

After Pennell's death rumors began to be circulated as to his source of income. One story was that he had acted as the go-between for gamblers and the police officials.

Those who were familiar with the gambling situation here know how utterly absurd that theory was.

Later on it was rumored that Pennell had been interested in some Get-Rich-Quick scheme in New York, and also that he had speculated successfully in that city. Investigation failed to show that there was any foundation for that story.

Then came the story that Pennell had swindled his friends and relatives in the East. It was stated that they sent money to him to be invested in bonds and mortgages and in various mythical enterprises, and that Pennell, instead of investing the funds, had used them himself and had averted disclosure by paying the interest on the fake investments. Some parts of this story are now said to be true, but he did not swindle any of his relatives in the East.

In his will Pennell named as administrators his brother, J. Frederick Pennell, and his wife's brother, Henry W. Lamb. He left to his administrators sealed instructions that upon his death they should make good in full out of his estate all the losses which had been sustained through him.

CONTEMPLATED SUICIDE TWO YEARS.

Pennell had contemplated suicide for two years, and had been endeavoring to work his nerve up to the point where he would dare to take his own life. Two years ago he planned to throw himself in front of a train at Peekskill. He wanted to make it appear that his death was an accident. He stopped off at Peekskill on the way back from New York, but his nerve failed him. It is said he recently told the story of the Peekskill incident himself.

During the Pan-American Exposition he sought for days for an opportunity to commit suicide in a manner that would make it appear accidental. He had an idea that he could run over in some way while at the exposition, but he never could nerve himself up to the point where he could throw himself under a train or drop under the wheels of a trolley-car. Pennell told all about that before he died.

It was the intention of the administrators of his estate to make good all losses and hush the matter up. It was not the intention to go into the courts about anything. In fact, it is understood that Pennell left instructions to his brother, whom he named as one of the administrators of his estate, that this should be done. They were in a sealed package addressed to his brother. The package was to be opened only after his death.

ATTORNEYS MAINTAIN SILENCE.

The attorneys interested in the Pennells or the Pennell estate claimed to-day that they knew nothing about Pennell's alleged defalcations. They did not deny the story. They simply said that Pennell's brother had been given secret, sealed instructions, and that the administrator had properly refrained from giving any information relative to those instructions.

The whole story leaked out as the result of a legal dispute over two life insurance policies. These two policies were not handed over to the administrator of the estate. One of them was for \$15,000, issued by the Prudential Insurance Company, and the other was for \$10,000, issued by the Mutual Life Insurance Company. These two policies had been assigned by Pennell to Attorney Wallace Thayer in trust. In one he was referred to as Wallace Thayer, "Trustee," and the other he was designated "Wallace Thayer, as Trustee." There is quite a difference between the term "Trustee" and "as Trustee," and the insurance companies held up payments.

Mr. Thayer and the attorneys for the insurance companies talked the matter over. J. Frederick Pennell, the administrator of the estate, also was called in, and Mr. Pennell insisted on having more information before he would consent to the payment of any insurance money to Mr. Thayer as trustee. It was then that the story of defalcations and Pennell's plans to commit suicide were made known. It was told right there in the office of Rogers, Locke and Milburn, and it was told by one of the men who had been called into conference.